

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



October 17, 2002

Regulation Package #1201-23

CDSS MANUAL LETTER NO. EAS-02-04

TO: HOLDERS OF THE EAS MANUAL, DIVISION 40

Regulations Package #1201-23**Effective 6/28/02****Section 40-107**

This manual letter has been posted on the Office of Regulations Development website at http://www.dss.cahwnet.gov/ord/Eligibilit_617.htm.

These regulations establish the process by which CalWORKs recipients can claim exemptions to the 60-month time limit and require counties to inform recipients of their remaining time on aid at specific intervals and upon request. These regulations ensure that recipients are informed of their rights and responsibilities under time limit requirements, consistent with general informing in Manual of Policy and Procedures (MPP) Section 40-173. These regulations allow time limit requirements to be applied consistently statewide. These regulations specify how safety net aid will be calculated when the sixty-month time limit is reached.

These regulations were originally adopted on an emergency basis effective February 28, 2002 and were considered at the Department's public hearing held on April 17, 2002. Additional amendments were made and the package was refiled, with an effective date of June 28, 2002.

FILING INSTRUCTIONS

Revisions to all manuals are shown in graphic screen. The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing EAS changes was EAS-02-03.

Page(s)Replace(s)

58 and 58.1

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Attachments

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40-107	COUNTY RESPONSIBILITY (Continued)	40-107
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- .112 The county shall notify the applicant or recipient that upon request of the custodial parent, the county department shall provide information to that custodial parent on the amount of child and spousal support paid to the county by the absent parent. (See Section 43-201.3.)
- .12 All forms pertaining to .11 and .111 above shall be available for the applicant to complete at the initial interview when the CA 2.1 is completed, but need not be completed prior to granting emergency aid.
- .13 The applicant shall be informed of the availability of reduced income supplemental payments and of the necessity that an assistance unit request the payments in order for them to be provided.

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(See Section 44-400 regarding reduced income supplemental payments.)

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- .14 At the time an individual applies for aid or at the time a recipient's eligibility for aid is determined, the CWD shall provide the individual, in writing and orally as necessary, a description of the 60-month time limit requirements, including the exemptions from the time limit, as provided in Sections 42-302.11 and 42-302.21 and the process by which recipients can claim the exemptions, as provided in MPP Section 42-302.3. In addition, counties are required to provide information on the number of months an applicant, recipient, or former recipient received aid as follows:
 - .141 The applicant shall be informed, by notice of action, at the time that eligibility for aid is authorized, of the cumulative number of countable months that the recipient has received aid, the specific months that were exempt from the 60-month time limit and the remaining number of months that the recipient may be eligible to receive aid.
 - .142 The recipient shall be informed, by a notice of action, at redetermination of aid. The notice shall include:
 - (a) The number of months the recipient received aid as reported on the most recent notice of action,
 - (b) The cumulative number of countable months that the recipient received aid and the specific exempt months since the last notice of action,
 - (c) The remaining number of months that the recipient may be eligible to receive aid. (See MPP Section 42-302.2 for definition of countable months.)

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- .143 The recipient shall be informed, in writing, at the 54th countable month on aid by using one of the following two methods:
- (a) A notice of action which meets the requirements in MPP Section 42-107.142.
 - (b) A notice that informs the recipient of the cumulative number of countable months that the recipient received aid and the remaining number of months that the recipient may be eligible to receive aid. (See MPP Section 42-302.2 for definition of countable months.)
- .144 Upon request for time limit information, a current or former recipient shall be informed, in writing, within 30 calendar days from the date of receipt of the request. The notice shall include:
- (a) The cumulative number of countable months that the recipient received aid,
 - (b) The specific months that were exempt from the 60-month time limit since the most recent notification (pursuant to MPP Sections 40-107.141 and 40-107.142),
 - (c) The remaining number of months that the recipient may be eligible to receive aid.
- .15 When a former CalWORKs recipient applies for aid in another state and the other state requests information on the number of months of assistance provided by Temporary Assistance for Needy Families (TANF) funds, the county where the aid was last received shall promptly respond to the other state's request in writing.
- .151 The county shall also send a notice of action to the former CalWORKs recipient at her/his new address in the other state. The notice of action shall include information on the number of months of TANF-funded assistance that was provided to the other state.

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- .152 Months of assistance provided by TANF funds shall be reported to the other state. Assistance provided by the California state-only programs, the Separate State Program for Two-Parent Families and the Segregated State Program for Legal Immigrants is not subject to the Federal TANF 60-month time limit. Individuals who received aid provided by the state-only programs do not accrue months of assistance toward the federal TANF 60-month time limit and therefore, the months of aid shall not be reported to the other state.

HANDBOOK ENDS HERE
